

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF SCIENCE AND TECHNOLOGY POLICY  
WASHINGTON, D.C. 20502

April 4, 2019

Ms. Jamie Corey  
Documented  
PO Box 258084  
Madison, WI 53725  
(608) 208-5851

**Re: OSTP-FOIA-19-036**

Dear Ms. Corey:

This letter acknowledges a Freedom of Information Act (FOIA) request received by the Office of Science and Technology Policy (OSTP) on March 26, 2019.<sup>1</sup> Specifically, the request sought:

- “All agency records regarding the Presidential Committee on Climate Security (PCCS), including but not limited to, agency records regarding the Deputies Committee Meeting on the Presidential Committee on Climate Security which took place on February 22, 2018”; and
- “All communications between, OSTP Director, Kelvin Droegemeier and Will Happer, Patrick Moore, or any member or representative of the CO2 Coalition.”

In accordance with the FOIA, OSTP uses a multitrack processing system when reviewing FOIA requests.<sup>2</sup> Requests within each track are processed on a “first-in, first-out” basis.<sup>3</sup> Track one is for “requests of simple to moderate complexity that are expected to be completed within 20 working days.”<sup>4</sup> Track two “is for requests involving ‘unusual circumstances,’ . . . that are expected to take more than 20 working days to complete.”<sup>5</sup> Requests that seek and receive expedited processing are prioritized above each of the aforementioned tracks and “OSTP may take [such] requests out of order” to process them more quickly.<sup>6</sup> To qualify for expedited processing, one of the following compelling needs must be met:

- 1) That failure to obtain requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of any individual; or
- 2) That a request is made by a person primarily engaged in disseminating information, and the person establishes that there is an urgency to inform the public concerning actual or alleged Federal Government activity<sup>7</sup>

---

<sup>1</sup> 5 U.S.C. § 552.

<sup>2</sup> 5 U.S.C. § 552(a)(6)(D); 32 C.F.R. § 2402.5(c).

<sup>3</sup> 32 C.F.R. § 2402.5(c).

<sup>4</sup> *Id.* at § 2402.5(c)(1).

<sup>5</sup> *Id.* at § 2402.5(c)(2).

<sup>6</sup> *Id.* at § 2402.5(d).

<sup>7</sup> *Id.* § 2402.5(d)(i)-(ii).

## Expedited Processing

The FOIA Officer reviewed the request for expedited processing and, as a matter of administrative discretion, grants it at this time.<sup>8</sup> Accordingly, OSTP will prioritize the processing of this request and will provide a response as soon as possible.

Please note that requesters have the right to seek dispute resolution services regarding their requests from OSTP's FOIA Public Liaison or the Office of Government Information Services (OGIS). To employ these services, please contact Andrew Mendoza via telephone at (202) 456-4444 or by way of e-mail at [OSTPFOIA@ostp.eop.gov](mailto:OSTPFOIA@ostp.eop.gov). To contact OGIS, please use the following contact information:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphia Road-OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: (202) 741-5770  
Fax: (202) 741-5769  
Toll-free: 1 (877) 684-6448

Finally, the request also sought a waiver of fees. In making fee waiver determinations, OSTP considers whether "(1) [d]isclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government; and (2) [d]isclosure is not primarily in the commercial interest of the requester."<sup>9</sup> The determination as to whether disclosure of the information "is likely to contribute significantly to public understanding of the operations . . . of the government" depends on the amount and type of information released not subject to exemption.<sup>10</sup> Accordingly, OSTP will keep the fee waiver request under consideration until it has had an opportunity to review the responsive documents for applicable exemptions. Should the fee waiver be denied, the request will be considered a "news media" request."<sup>11</sup> As such, it will only be subject to certain duplication costs.<sup>12</sup> Pursuant to OSTP regulations, the requester is entitled to the first 100 pages of copies at no charge.<sup>13</sup> For duplication exceeding the first 100 pages, OSTP will charge "direct costs of the [] services, including the average hourly salary (base plus locality payment plus 16 percent) for the employee" conducting the service."<sup>14</sup>

If you have any questions, please do not hesitate to contact me via telephone or by way of e-mail.

Sincerely,



Andrew G. Mendoza  
Legal Counsel and Policy Advisor

---

<sup>8</sup> 32 C.F.R. § 2402.5(d)(ii)(3).

<sup>9</sup> 32 C.F.R. § 2402.9(a).

<sup>10</sup> *Id.*

<sup>11</sup> *See* 32 C.F.R. § 2402.8(b)(1)(ii).

<sup>12</sup> *Id.* at § 2402.8(b)(3).

<sup>13</sup> *Id.*

<sup>14</sup> 32 C.F.R. § 2402.8(b)(1)(iii), (3).